

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

- v. -

EBENEZER BARNES,
a/k/a, "Jibril,"

Defendant.
-----X

~~SEALED~~ 261K 7/23/14
SUPERSEDING
INFORMATION

S1 13 Cr. 873 (JGK)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: JUL 23 2014

COUNT ONE

The United States Attorney charges:

1. From at least in or about 2009, up to and including in or about December 2010, in the Southern District of New York and elsewhere, EBENEZER BARNES, a/k/a "Jibril," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that EBENEZER BARNES, a/k/a "Jibril," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance in violation of 21 U.S.C.

§ 841(a)(1).

3. The controlled substance that EBENEZER BARNES, a/k/a "Jibril," the defendant, conspired to distribute and possess with the intent to distribute was mixtures and substances

containing one kilogram and more of heroin, in violation of 21 U.S.C. § 841(b) (1) (A) .

(Title 21, United States Code, Section 846.)

Forfeiture Allegation

4. As a result of committing the controlled substance offense charged in this Information, EBENEZER BARNES, a/k/a "Jibril," the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of said offense and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense charged in Count One of the Information.

Substitute Asset Provision

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;
it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of BARNES up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)



PREET BHARARA *my*
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(21 U.S.C. § 846.)

PREET BHARARA

United States Attorney.

7/23/2014 FILED WAIVER OF INDICTMENT AND SUPERSEDING INFORMATION.
DEFF ARRIGNED ON SUPERSEDING INFORMATION. DEFF PRES
W/ADDT JEAN BARRETT, AUSA BRENDAN QUIGLEY. REPORTER
LISA FELLIS. DEFF CHANGES PLEA OF NOT GUILTY TO INDICTMENT
AND PLEADS GUILTY TO SUPERSEDING INFORMATION. SENTENCE
DATE 1/13/2015 AT 10:00AM. PSI ORDERED. BAIL REVOKED
AND DEFF ORDERED REMANDED. (40 MINUTES)

- JOSE MOELFI